



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक-मध्य उप-विभाग

वर्ष १०, अंक २४]

गुरुवार, जून २७, २०२४/आषाढ ६, शके १९४६

[पृष्ठे ७, किंमत : रुपये ४.००

असाधारण क्रमांक ४४

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २६ जून २०२४.

सूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्रमांक टिपीएस-१२२४/११७५/प्र.क्र.५३/२४/कलम ३७(१कक)/नवि-१२.-ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, व काही नियोजन प्राधिकरणे वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता लागू करावयाच्या एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस (युडीसीपीआर) (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा करण्यात आलेला आहे) महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आलेला आहे) मधील तरतुदीनुसार, शासन अधिसूचना क्र. टिपीएस-१८१८/प्र.क्र.२३६/१८/ वियो. व प्रायो./कलम ३७ (१कक) (ग) व कलम २०(४)/नवि-१३, दि.२ डिसेंबर २०२० अन्वये मंजुरी दिली असून ती दि. ३ डिसेंबर २०२० पासून अंमलात आली आहे ;

आणि ज्याअर्थी, उक्त नियमावलीमध्ये प्रकरण क्र. १० मध्ये शहरासाठी विशेष नियमावली (City Specific Regulation) असून, त्यामधील विनियम क्र.१०.३ व विनियम क्र.१०.४ अनुक्रमे नागपुर महानगरपालिका व नागपुर महानगर प्रदेश विकास प्राधिकरण यांचेशी संबंधित आहे. तर विनियम क्र. ११.२ Regulations For Grant Of Transferable Development Right (TDR) शी संबंधित आहे. उक्त नियमावलीमध्ये सुधारणा करणेबाबत नॅशनल रियल इस्टेट डेव्हलपमेंट कौन्सिल (NAREDCO) यांनी शासनास दि. ११ जून २०२४ रोजीच्या पत्रान्वये विनंती केली आहे ;

आणि ज्याअर्थी, उक्त विनंती विचारात घेतल्यानंतर उक्त नियमावलीमध्ये सोबतच्या परिशिष्ट-अ मध्ये नमूद केल्यानुसार सुधारणा करणे आवश्यक आहे, असे शासनाचे मत झाले आहे. (यापुढे ज्याचा उल्लेख "उक्त प्रस्तावित फेरबदल" असा करण्यात आलेला आहे).

(१)

आता त्याअर्थी, उक्त अधिनियमाचे कलम ३७(१अअ) व २०(३) अन्वये प्राप्त अधिकारात आणि तदनुषंगिक शक्तींचा वापर करून, उक्त प्रस्तावित फेरबदलावर जनतेकडून सूचना / हरकती मागविण्यासाठी शासन ही सूचना प्रसिद्ध करीत आहे. उक्त फेरबदलावरील कोणत्याही सूचना/हरकती, ही सूचना **महाराष्ट्र शासन राजपत्रात** प्रसिद्ध झाल्यापासून एक महिन्याच्या आत, संबंधित विभागीय सहसंचालक, नगररचना यांचेकडे दाखल करता येतील. विभागीय सहसंचालक, नगररचना यांना प्राप्त सूचना/हरकतींवर सुनावणी देऊन आणि आवश्यकतेनुसार संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन, त्यावरील अहवाल शासनास सादर करण्यासाठी उक्त अधिनियमाचे कलम १६२(१) नुसार प्राधिकृत करण्यात येत आहे.

२. ही सूचना, कामकाजाचे दिवशी एक महिन्याच्या कालावधीकरिता जनतेच्या अवलोकनार्थ खालील कार्यालयात उपलब्ध राहील :

- (१) विभागीय सहसंचालक, नगररचना, कोकण / पुणे / नाशिक / नागपूर / अमरावती/ औरंगाबाद विभाग.
- (२) आयुक्त, सर्व संबंधित महानगरपालिका.
- (३) जिल्हाधिकारी, सर्व जिल्हे.
- (४) महानगर आयुक्त, सर्व महानगर प्रदेश विकास प्राधिकरणे.
- (५) सर्व विशेष नियोजन प्राधिकरणे / नवनगर विकास प्राधिकरणे.
- (६) मुख्य कार्यकारी अधिकारी सर्व जिल्हापरिषदा.
- (७) मुख्याधिकारी (सर्व नगरपरिषदा / नगरपंचायती).

३. सदरची सूचना ही महाराष्ट्र शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) वेबसाईटवर (कायदे/नियम) प्रसिद्ध करण्यात आली आहे.

परिशिष्ट

शासन सूचना क्रमांक टिपीएस-१२२४/११७५/प्र.क्र.५३/२४/कलम ३७(१कक)/नवि-१२,  
दिनांक २६/६/२०२४ सोबतचे सहपत्र

Regulation	Existing Provision	Proposed Modification
10.3. and 10.4. :-Add new Clause as 10.3.5 and 10.4.5	-----	<p><b>Following new provision is proposed to be inserted as Clause 10.3.5 and Clause 10.4.5 :-</b></p> <p><b>Generation of TDR :-</b></p> <p>For encumbered plots which are required for implementation of public purpose on urgent basis, following shall be applicable :-</p> <p>(i) In case of land which were /are fully encumbered and where encumbrances had/ have to be removed and/or rehabilitated by the project implementing authority, TDR/ DRC shall be issued equivalent to the area of land taken over for free public project.</p> <p>(ii) In case of land which were/are partly encumbered and where encumbrance are/ were removed and /or rehabilitated elsewhere by the project implementing authority, the entitlement for TDR/DR for the portion of land which is/ was vacant shall be as per Sr.No.(a) of Regulation 11.2.4 and the entitlement of TDR/ DRC for the portion of land which is / was encumbered shall be equivalent to the area of encumbered land taken over for public project.</p> <p>However, before permitting/ granting TDR/DRC for encumbered land, Project implementing authority shall separately certify the area of land which are vacant and the area of land under encumbrance alongwith detail as per the joint measurement survey carried out in this respect with the city survey officer. The area of vacant land and land under part encumbrance shall be clearly distinguished and demarcated, otherwise the land under part encumbrance shall be treated as fully encumbered land.</p>
11.2 :- add new proviso in Clause 11.2.5 after the paragraph "In case .....and educational buildings".		<p><b>Following new proviso is proposed to be inserted in Clause 11.2.5 after the paragraph "In case .....and educational buildings".</b></p> <p>Provided further, notwithstanding anything contained in these Regulations, for the purposes of medical, education or community hall, if the land belonging to SPA / ULB is already leased or allotted to a Public Charity Trust or a Government owned entity for the purposes of operations wherein construction of the amenity thereon is the responsibility of Special Planning Authority (SPA) or Urban Local Body (ULB), then to create or extend such facilities for the public at large, construction TDR may be granted to the Trust or Government entity for carrying out construction. However, in any case where construction TDR has been issued, the ownership of the construction shall lie with SPA/ ULB and Trust or Government entity shall, post</p>

	-----	construction, hand over the construction to SPA/ ULB and SPA /ULB may lease this construction back to the Trust or Government entity for a period co-terminus with the earlier lease and at such rate and conditions that earlier lease states.
<b>11.2.3(x)</b>	Clause No.11.2.3(x) For the lands owned by the State Government.	<b>Clause 11.2.3(x)</b> For the lands owned by the State Government, <b>except Government land leased on long term for a nominal lease rent wherein remaining tenure of lease is more than 30 years.</b>
<b>11.2.4 :- New provision is added in Note after the entry of (e).</b>	-----	<b>Following new provision is proposed to be inserted in Clause 11.2.4 Note after the entry of (e).</b>  f) In case of land owned by Government of Maharashtra but leased on a long term for a nominal lease rent with remaining tenure of lease more than 30 years, is required for reservation under Development Plan, TDR shall be payable to lease holder to the extent of 90% of otherwise due TDR for equivalent private land. If allotment on lease was done at a subsidized rate and not at full market value or RR value, then indexing of the TDR given for land shall be at similarly reduced rate. If there is any existing authorized construction done by lease required to be demolished or acquired then TDR shall be payable for the construction as is due for equivalent private property.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार चौधरी,  
शासनाचे उप सचिव.

**URBAN DEVELOPMENT DEPARTMENT**  
Mantralaya, Mumbai 400 032, dated the 26th June 2024.

**Notice**

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.TPS-1224/1175/CR.53/24/Sec.37(1AA)/Modification/UD-12.—Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations (UDCPR) (hereinafter referred to as "the said Regulations") for the state except Municipal Corporation of Greater Mumbai, and some Planning Authorities under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") *vide* Notification No.TPS-1818/CR.238/18/DP. and RP./Sec.37 (1AA) (c) and sec.20(4)/UD-13, dated 2nd December 2020 ;

And whereas, Chapter No. 10 in the UDCPR is regarding City Specific Regulations wherein Regulation No. 10.3 pertains to Nagpur Municipal Corporation and Regulation No. 10.4 pertains to Nagpur Metropolitan region Development Authority and wherein Regulation No. 11.2 is regarding Regulations For Grant of Transferable Development Right (TDR) provision, the National Real Estate Development Council (NAREDCO) *vide* letter dated 11th June 2024 has requested the Government to modify the said Regulation.

And whereas, after considering the said request, the Government is of the opinion that it is necessary to modify the said Regulation as mentioned in Annexure-A herewith. (hereinafter referred to as "the said proposed modification")

Now therefore, in exercise of the powers conferred under section 37(1AA) and 20(3) of the said Act and all other powers enabling in that behalf, the Government hereby publishes a notice for inviting suggestions/objections from general public in respect to the said modification. Any objections/ suggestions upon the said modification shall be forwarded, before the expiry of one month from the date of publication of this notice in *Maharashtra Government Gazette*, to the concerned Divisional Joint Director of Town Planning who is hereby authorized under section 162(1) of the said Act as an Officer to hear objections/suggestions and say of concerned Planning Authorities, as applicable, and submit his report to the Government.

**2.** This notice is kept for inspection to the general public in the following offices for the period of one month on all working days.

(1) The Divisional Joint Director of Town Planning, Konkan / Pune/Nashik / Nagpur / Amravati / Aurangabad.

(2) The Commissioners All concerned Municipal Corporations.

(3) The Collectors, All Districts.

(4) The Metropolitan Commissioners, All Metropolitan Regions Developments Authorities.

(5) All Special Planning Authorities New Town Development Authorities.

(6) The Chief Executive Officer. All Zilla Parishads.

(7) The Chief Officers, All Municipal Councils/ Nagar Panchayats.

**3.** This Notice is also available on the Government web site *www.maharashtra.gov.in*

*Schedule*

Accompaniment to the Notification No. TPS-1224/1175/CR-53/24/UD-12,  
Date 26th June, 2024.

Regulation	Existing Provision	Proposed Modification
<b>10.3. and 10.4. :- Add new Clause as 10.3.5 and 10.4.5</b>	-----	<p><b>Following new provision is proposed to be inserted as Clause 10.3.5 and Clause 10.4.5 :-</b></p> <p><b>Generation of TDR :-</b></p> <p>For encumbered plots which are required for implementation of public purpose on urgent basis, following shall be applicable :-</p> <p>(i) In case of land which were /are fully encumbered and where encumbrances had/ have to be removed and/or rehabilitated by the project implementing authority, TDR/ DRC shall be issued equivalent to the area of land taken over for free public project.</p> <p>(ii) In case of land which were/are partly encumbered and where encumbrance are/ were removed and /or rehabilitated elsewhere by the project implementing authority, the entitlement for TDR/DR for the portion of land which is/ was vacant shall be as per Sr.No.(a) of Regulation 11.2.4 and the entitlement of TDR/ DRC for the portion of land which is / was encumbered shall be equivalent to the area of encumbered land taken over for public project.</p> <p>However, before permitting/ granting TDR/DRC for encumbered land, Project implementing authority shall separately certify the area of land which are vacant and the area of land under encumbrance alongwith detail as per the joint measurement survey carried out in this respect with the city survey officer. The area of vacant land and land under part encumbrance shall be clearly distinguished and demarcated, otherwise the land under part encumbrance shall be treated as fully encumbered land.</p>
<b>11.2 :- add new proviso in Clause 11.2.5 after the paragraph “In case .....and educational buildings”.</b>		<p><b>Following new proviso is proposed to be inserted in Clause 11.2.5 after the paragraph “In case .....and educational buildings”.</b></p> <p>Provided further, notwithstanding anything contained in these Regulations, for the purposes of medical, education or community hall, if the land belonging to SPA / ULB is already leased or allotted to a Public Charity Trust or a Government owned entity for the purposes of operations wherein construction of the amenity thereon is the responsibility of Special Planning Authority (SPA) or Urban Local Body (ULB), then to create or extend such facilities for the public at large, construction TDR may be granted to the Trust or Government entity for carrying out construction. However, in any case where construction TDR has been issued, the ownership of the construction shall lie with SPA/ ULB and Trust or Government entity shall, post</p>

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<b>11.2.3(x)</b>	Clause No.11.2.3(x) For the lands owned by the State Government.	<b>Clause 11.2.3(x)</b> For the lands owned by the State Government, <b>except Government land leased on long term for a nominal lease rent wherein remaining tenure of lease is more than 30 years.</b>
<b>11.2.4 :- New provision is added in Note after the entry of (e).</b>	-----	<b>Following new provision is proposed to be inserted in Clause 11.2.4 Note after the entry of (e).</b>  f) In case of land owned by Government of Maharashtra but leased on a long term for a nominal lease rent with remaining tenure of lease more than 30 years, is required for reservation under Development Plan, TDR shall be payable to lease holder to the extent of 90% of otherwise due TDR for equivalent private land. If allotment on lease was done at a subsidized rate and not at full market value or RR value, then indexing of the TDR given for land shall be at similarly reduced rate. If there is any existing authorized construction done by lease required to be demolished or acquired then TDR shall be payable for the construction as is due for equivalent private property.

By order and in the name of the Governor of Maharashtra,

NIRMALKUMAR CHAUDHARI,  
Deputy Secretary to Government.